

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:	§	
AAC Holding Corp., ¹	§	Chapter 11
	§	
Debtor.	§	Case No. 21-30057 (HDH)
	§	
AAC Holding Corp.; Prudential Capital	§	
Partners IV, L.P.; Prudential Capital Partners	§	
Management Fund IV, L.P.; Prudential Capital	§	
Partners (Parallel Fund) IV, L.P.; and Falcon	§	
Strategic Partners IV, LP,	§	
	§	
Plaintiffs,	§	Adversary No. 21-03002 (HDH)
	§	
v.	§	
	§	
Bradley Dietz; Don MacKenzie; and Cerberus	§	
Business Finance, LLC,	§	
	§	
Defendants.	§	
	§	

STIPULATION AND AGREED ORDER

This Stipulation and Agreed Order is entered into this 19th day of February, 2021, by and among Prudential Capital Partners IV, L.P., Prudential Capital Partners Management Fund IV,

¹ The Debtor's mailing address is 1550 W. Mockingbird Lane, Dallas, TX 75235.

L.P., Prudential Capital Partners (Parallel Fund) IV, L.P., and Falcon Strategic Partners IV, LP (collectively, “PCP-Falcon”); Cerberus Business Finance, LLC (“Cerberus”); Bradley Dietz; Don MacKenzie; and AAC Holding Corp. (the “Voluntary Debtor”) (together, the “Parties”).

RECITALS

WHEREAS, PCP-Falcon and the Voluntary Debtor filed the Complaint on January 15, 2021 [Adv. Dkt. No. 1];

WHEREAS, the Court held a status conference on January 21, 2021, at which the Parties notified the Court of ongoing settlement discussions and asked for a brief continuance;

WHEREAS, the Court held a second status conference on January 27, 2021, and the Parties again notified the Court of ongoing settlement discussions and asked for a second brief continuance;

WHEREAS, the Court held a third status conference on February 3, 2021, and the Parties notified the Court of a likely settlement and that the Parties would be filing the instant stipulation at the earliest possible time to ask for an extension of all deadlines;

WHEREAS, the Court entered an order on February 9, 2021 [Adv. Dkt. No. 8] to extend the answer dates until 5:00 Central Time on February 25, 2021, and to toll all other deadlines, including any pleading or responsive deadlines, until 5:00 Central Time on February 25, 2021;

WHEREAS, the Parties have agreed by stipulation on February 16, 2021 to further extend the answer dates until 5:00 Central Time on March 4, 2021;

WHEREAS, the Parties have further agreed by stipulation on February 16, 2021 to toll all other deadlines, including any pleading or responsive deadlines, until 5:00 Central Time on March 4, 2021;

WHEREAS, good cause exists to toll all deadlines in that the Parties are currently engaged in productive settlement discussions aimed at reflecting a global resolution and preventing further litigation;

WHEREAS, the Parties require additional time to finalize the settlement agreement reached in principle.

IT IS NOW THEREFORE STIPULATED AND AGREED AS FOLLOWS:

The deadline for Bradley Dietz; Don MacKenzie; and Cerberus Business Finance, LLC to answer, move, or otherwise respond to the Complaint filed by AAC Holding Corp.; Prudential Capital Partners IV, L.P.; Prudential Capital Partners Management Fund IV, L.P.; Prudential Capital Partners (Parallel Fund) IV, L.P.; and Falcon Strategic Partners IV, LP is hereby extended until 5:00 Central Time on March 4, 2021. Further, all other deadlines shall be tolled until 5:00 p.m. Central Time on March 4, 2021.

END OF ORDER

STIPULATED AND AGREED TO BY:

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-and-

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IV, L.P.; and Falcon Strategic Partners IV, LP,*

By: ./s/ Susan B. Hersh

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